

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2007-216
October 5, 2007

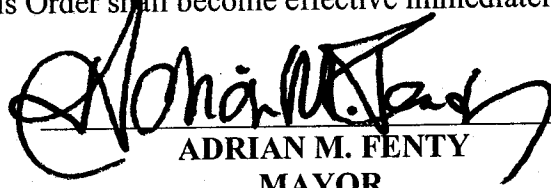
SUBJECT: Delegation of Authority Pursuant to D.C. Law 5-84, the District of Columbia Funeral Services Regulatory Act of 1984

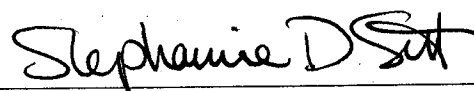
ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) of the District of Columbia Home Rule Act, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code Section 1-204.22(6) (2006 Repl.), and pursuant to the District of Columbia Funeral Services Regulatory Act of 1984 (Act), effective May 22, 1984, D.C. Law 5-84, D.C. Official Code §§ 3-401 *et seq.* (2001), and subchapters I-A and I-B of Chapter 28 of Title 47 of the D.C. Official Code, it is hereby **ORDERED** that:

1. Except as provided in paragraphs 2 and 3 of this Order, the Director of the Department of Consumer and Regulatory Affairs, is delegated the authority vested in the Mayor by the Act.
2. The Board of Funeral Directors for the District of Columbia is delegated the authority vested in the Mayor by sections 6, 7(f), 8, 9, 10, 13, 16, 17 and 22a of the Act with respect to establishing standards for licensure, receiving notifications from applicants and licensees, and investigating, evaluating, and conducting hearings concerning the conduct and qualifications of applicants and licensees, with the following exceptions and clarifications:
 - A. The Director of the Department of Consumer and Regulatory Affairs (Director), pursuant to section 22a of the Act and D.C. Official Code § 47-2851.20, is delegated the authority to promulgate rules related to the following:
 - i. The administrative functions of the Board in a manner consistent with the provisions of D.C. Official Code § 47-2853.10(a), including but not limited to application procedures under section 6(g) of the Act and procedures for the issuance and renewal of licenses under sections 7(b) and (d) of the Act.
 - ii. Rules related to the implementation of the Basic Business License Program pursuant to subchapter I-A of Chapter 28 of Title 47 of the D.C. Official Code and section 6(e) and (g) of the Act.

- B. The Director is delegated the authority, consistent with D.C. Official Code § 47-2853.10(a) and pursuant to sections 7(b), 7(d), 9 and 10 of the Act, for performing the administrative aspects of issuing, renewing, denying suspending, revoking and restricting licenses after the Board makes findings or recommendations with respect to these actions in connection with an applicant or licensee; provided that:
- i. The Director is delegated the authority to issue renewal licenses pursuant to section 7 of the Act without Board approval if an applicant clearly meets the substantive license renewal standards established by the Board. Where there is a question as to whether an applicant for license renewal meets the substantive license renewal standards established by the Board, the Board shall have the authority to determine the applicant's qualifications for renewal.
 - ii. With respect to the Funeral Services Establishment license issued pursuant to section 6(e) and (f) of the Act, the Board is delegated the authority for approving the endorsement to the Basic Business license and the Director, through the Basic Business License system, is delegated the authority for issuing the Basic Business License with the Funeral Services Establishment endorsement.
3. The Office of the Attorney General is delegated the authority to make application to the Superior Court of the District of Columbia for an injunction upon a finding made pursuant to section 20 of the Act.
4. This Order shall supersede Mayor's Order 87-186, dated August 3, 1987.
5. **EFFECTIVE DATE:** This Order shall become effective immediately.


ADRIAN M. FENTY
MAYOR

ATTEST: 
STEPHANIE D. SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA